

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

<b>UNITED STATES OF AMERICA,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>ROY “DOC” ROSALES,</b>  <b>Defendant.</b>	<b>CR 21-26-BLG-SPW</b>  <b>PRELIMINARY ORDER OF FORFEITURE</b>
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WHEREAS, in the indictment in the above case, the United States sought forfeiture of property, pursuant to 21 U.S.C. § 853(a)(1) and (2) and 21 U.S.C. § 881(a)(11), for: any property constituting and derived from any proceeds obtained, directly and indirectly, as a result of the commission of said offense; any property used and intended to be used, in any manner and part, to commit, and facilitate the commission of, said offense; and any firearm used and intended to be used to facilitate the transportation, sale, receipt, possession, and concealment of controlled substances and any proceeds traceable to such property;

AND WHEREAS, on August 17, 2022, the defendant entered a plea of guilty to Count I of the indictment charging possession of cocaine with intent to distribute, in violation of 21 U.S.C. § 841(a)(1), pursuant to a written plea agreement, which was accepted by this Court on August 17, 2022 (Doc. 46);

AND WHEREAS, the indictment contained a forfeiture allegation that stated that as a result of the offense charged in the indictment, and as agreed upon pursuant to the written plea agreement, the defendant shall forfeit the following property:

- Approximately 630 rounds of assorted ammunition of various caliber;
- Glock GMBH 17GEN4 9MM caliber pistol, SN:WGU223;
- CZ (Ceska Zbrojovka) Scorpion Evo 3 S1 9mm caliber pistol, SN:D022801; and
- Mossberg 590 Shockwave 410 caliber Shotgun, SN:V0898434.

AND WHEREAS, by virtue of said guilty plea, the United States is now entitled to possession of the property, pursuant to 21 U.S.C. § 853(a)(1) and (2) and 21 U.S.C. § 881(a)(11), and Rule 32.2(b)(2), Federal Rules of Criminal Procedure.

ACCORDINGLY, IT IS ORDERED:

1. That based upon the plea of guilty by the defendant to the indictment, the United States is authorized and ordered to seize the property described above. This property is forfeited to the United States for disposition in accordance with the law, subject to the provisions of to 21 U.S.C. § 853(a)(1) and (2) and 21 U.S.C. § 881(a)(11) and 28 U.S.C. § 2461(c).

2. That the aforementioned forfeited property is to be held by the United States, particularly the Bureau of Alcohol, Tobacco, Firearms, and Explosives and/or the United States Marshals Service, in its secure custody and control.

3. THAT the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General may direct, pursuant to 18 U.S.C. § 982(b)(1) and 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed; and

4. THAT upon adjudication of all third-party interests, if any, the Court will enter a Final Order of Forfeiture.

DATED this 22<sup>nd</sup> day of August, 2022.



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SUSAN P. WATTERS

United States District Court Judge